

## JOURNAL OF THE SENATE

## Forty-ninth Legislative Assembly

\*\*\*\*\*

## THIRTIETH DAY

Bismarck, February 18, 1985

The Senate convened at 1:00 p.m., with President Meiers presiding.

The prayer was offered by Reverend Dale Drown, Bismarck Wesleyan Church, Bismarck.

To the North Dakota Senate: Praise The Lord! Yes, really praise Him! I will praise Him as long as I live, yes, even with my dying breath.

Don't look to men for help; their greatest leaders fail; for every man must die. His breathing stops, life ends, and in a moment all he planned for himself is ended. But happy is the man who has the God of Jacob as his helper, whose hope is in the Lord, his God--The God who made both earth and heaven, the seas, and everything in them. He is the God who keeps every promise, and gives justice to the poor and oppressed, and food to the hungry. He frees the prisoners, and opens the eyes of the blind; he lifts the burdens from those bent down beneath their loads. For the Lord loves good men. He protects the immigrants, and cares for the orphans and widows. But He turns topsy-turvy the plans of the wicked.

The Lord will reign forever. Oh Jerusalem, your God is King in every generation! Hallelujah! Praise the Lord!

## ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

## REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-ninth day and finds the same to be correct.

SEN. DAVID, Chairman

SEN. KELLY MOVED that the report be adopted, which motion prevailed.

## REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly engrossed:

SB 2056, SB 2181, SB 2274, SB 2390, SB 2445, SB 2452,  
SB 2479

SEN. BAKEWELL, Chairman

SEN. SHEA MOVED that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1072, HB 1088, HB 1270, HB 1326, HB 1378, HB 1413,  
HB 1468, HB 1507, HB 1513, HCR 3048, HCR 3049

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SB 2031, SB 2313, SB 2380, SB 2444, SB 2467, SB 2487,  
SB 2496, SCR 4047, SCR 4049

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1042, HB 1045, HB 1046, HB 1108, HB 1110, HB 1114

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1091, HB 1139, HCR 3002, HCR 3016

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1219

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1219

LEO LEIDHOLM, Secretary

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

February 14, 1985

The Honorable Ruth Meiers  
Lieutenant Governor  
State Capitol  
Bismarck, North Dakota 58505

Dear Lieutenant Governor Meiers:

This is to advise that I have appointed L. D. (Lee) Christensen to the State Board of Higher Education effective July 1, 1985 and extending to July 1, 1992.

This appointment is submitted for consideration of Senate confirmation.

Sincerely,

GEORGE A. SINNER  
Governor

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nomination for the Board of Higher Education:

Senator Parker, Chairman  
Senator Tweten  
Senator Kelly  
Senator Adams  
Senator Walsh  
Senator Wogsland  
Senator Dotzenrod

SEN. NETHING, Chairman

SEN. NETHING MOVED that the report be adopted, which motion prevailed.

The President referred the appointment of L. D. "Lee" Christensen to the committee for the Board of Higher Education.

CONSIDERATION OF AMENDMENT

SEN. REITEN MOVED that the amendments to SB 2159 as recommended by the Committee on Industry, Business and Labor as printed on

pages 755-756 of the Senate Journal be adopted, and when so adopted, recommends that SB 2159 DO PASS.

#### REQUEST

SEN. MAIXNER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2159, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments to SB 2159, the roll was called and there were 26 YEAS, 27 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg; Ingstad; Kelly; Kilander; Lips; Lodoen; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Redlin; Satrom; Shea; Stenehjem; Stromme; Tallackson; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

The motion to adopt the amendments to SB 2159 lost.

#### MOTION

SEN. MUTCH MOVED that the Senate reconsider the action whereby the amendments to SB 2159 lost, which motion prevailed on a verification vote.

#### REQUEST

SEN. NETHING REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2159, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments to SB 2159, the roll was called and there were 28 YEAS, 25 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg; Ingstad; Kelly; Kilander; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.;

Mushik; Redlin; Satrom; Shea; Stromme; Tallackson;  
Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

The motion to adopt the amendments to SB 2159 passed.

#### CONSIDERATION OF AMENDMENTS

SEN. CHRISTENSEN MOVED that the amendments to SB 2180 as recommended by the **Committee on Judiciary** as printed on page 756 of the Senate Journal be adopted, and when so adopted, recommends that SB 2180 DO PASS, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to SB 2217 as recommended by the **Committee on Finance and Taxation** as printed on pages 756-757 of the Senate Journal be adopted, and when so adopted, recommends that SB 2217 DO NOT PASS, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to SB 2240 as recommended by the **Committee on Finance and Taxation** as printed on page 757 of the Senate Journal be adopted, and when so adopted, recommends that SB 2240 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2262 as recommended by the **Committee on Judiciary** as printed on pages 757-759 of the Senate Journal be adopted, and when so adopted, recommends that SB 2262 DO PASS, which motion prevailed.

SEN. STENEHJEM MOVED that the amendments to SB 2362 as recommended by the **Committee on Social Services and Veterans Affairs** as printed on page 760 of the Senate Journal be adopted, and when so adopted, recommends that SB 2362 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2386 as recommended by the **Committee on Industry, Business and Labor** as printed on page 761 of the Senate Journal be adopted, and when so adopted, recommends that SB 2386 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2389 as recommended by the **Committee on Industry, Business and Labor** as printed on page 761 of the Senate Journal be adopted, and when so adopted, recommends that SB 2389 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2411 as recommended by the **Committee on Industry, Business and Labor** as printed on page 762 of the Senate Journal be adopted, and when so adopted, recommends that SB 2411 DO PASS, which motion prevailed.

SEN. STENEHJEM MOVED that the amendments to SB 2430 as recommended by the **Committee on Social Services and Veterans Affairs** as printed on pages 762-763 of the Senate Journal be adopted, and when so adopted, recommends that SB 2430 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2441 as recommended by the **Committee on Judiciary** as printed on page 763 of the Senate Journal be adopted, and when so adopted, recommends the rules be suspended, and that SB 2441 be rereferred to the **Committee on Appropriations**, which motion prevailed.

SB 2441 was rereferred to the **Committee on Appropriations**.

SEN. CHRISTENSEN MOVED that the amendments to SB 2448 as recommended by the **Committee on Judiciary** as printed on pages 763-764 of the Senate Journal be adopted, and when so adopted, recommends that SB 2448 BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to SB 2449 as recommended by the **Committee on Finance and Taxation** as printed on page 764 of the Senate Journal be adopted, and when so adopted, recommends that SB 2449 DO PASS.

#### REQUEST

SEN. WOGSLAND REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2449, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments to SB 2449, the roll was called and there were 23 YEAS, 30 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Berube; Christensen; David; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjøm; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: None

The motion to adopt the amendments to SB 2449 lost.

#### MOTIONS

SEN. DOTZENROD MOVED that the SB 2449 be amended as follows:

On page 1, line 10, delete the words "either of the"

On page 1, delete lines 11, 12, and 13

On page 1, line 14, delete the number "2."

On page 1, line 15, delete the word "uses" and insert in lieu thereof the words "is designed to use"

On page 1, line 15, delete the word "twenty" and insert in lieu thereof the word "ten"

On page 1, line 19, delete the words "either be shipped"

On page 1, line 20, delete the word "or"

And renumber the lines accordingly

SEN. DOTZENROD MOVED that the proposed amendments be adopted.

#### REQUEST

SEN. WOGSLAND REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2449, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2449, the roll was called and there were 34 YEAS, 18 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Ereborg; Hilken; Holmberg; Ingstad; Kelly; Kilander; Lashkowitz; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Heigaard; Heinrich; Kelsh; Krauter; Kusler; Langley; Maixner; Matchie; Meyer, J.; Meyer, W.; Mushik; Redlin; Shea; Stromme; Tallackson; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: Berube

The proposed amendments to SB 2449 were adopted.

#### MOTION

SEN. NETHING MOVED that the rules be suspended, that SB 2449 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2449: A BILL for an Act to create and enact section 57-61-01.3 of the North Dakota Century Code, relating to a severance tax reduction on coal mined for certain users.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Shea

ABSENT AND NOT VOTING: Maixner

SB 2449 passed and the title was agreed to.

\*\*\*\*\*

## CONSIDERATION OF AMENDMENTS

SEN. CHRISTENSEN MOVED that the amendments to SB 2464 as recommended by the Committee on Judiciary as printed on page 765 of the Senate Journal be adopted, and when so adopted, recommends that SB 2464 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2480 as recommended by the Committee on Judiciary as printed on pages 765-766 of the Senate Journal be adopted, and when so adopted, recommends that SB 2480 DO PASS, which motion prevailed.

SEN. STENEHJEM MOVED that the amendments to SB 2488 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 766 of the Senate Journal be adopted, and when so adopted, recommends that SB 2488 DO PASS, which motion prevailed.

## MOTIONS

SEN. STENEHJEM MOVED that SB 2488 be further amended as follows:

On page 1, line 24, delete the words "or adults"

On page 2, line 3, delete the words "or adults"

And renumber the lines and pages accordingly

SEN. STENEHJEM MOVED that the proposed amendments be adopted, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. CHRISTENSEN MOVED that the amendments to SB 2494 as recommended by the Committee on Judiciary as printed on page 766 of



the Senate Journal be adopted, and when so adopted, recommends that SB 2494 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2498 as recommended by the Committee on Judiciary as printed on pages 766-767 of the Senate Journal be adopted, and when so adopted, recommends that SB 2498 DO PASS, which motion prevailed.

#### MOTIONS

SEN. CHRISTENSEN MOVED that in lieu of the amendments to SCR 4040 as printed on page 767 of the Senate Journal, it is recommended that SCR 4040 be amended as follows:

On page 1, line 11, after the comma, insert the words "and the state radio system,"

On page 1, line 14, after the word "process" insert the following words: "and a state forensic investigation system is being proposed"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN MOVED that the proposed amendments be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

SB 2056: A BILL for an Act to amend and reenact subsections 3 and 4 of section 53-06.1-11 of the North Dakota Century Code, relating to allowable expenses of charitable organizations conducting games of chance.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Ereborg; Heigaard; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Heinrich; Peterson; Redlin; Tennefos

ABSENT AND NOT VOTING: None

SB 2056 passed and the title was agreed to.

\*\*\*\*\*

SB 2075: A BILL for an Act to amend and reenact subsections 1, 4, 7, 8, 16, and 18 of section 23-17.2-02, subsection 1 of section 23-17.2-03, and subsection 3 of section 23-17.2-04 of the North Dakota Century Code, relating to definitions, thresholds, and scope of coverage of certificate of need review.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 44 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Waldera; Wenstrom; Wogsland; Wright

NAYS: Christensen; David; Lips; Mutch; Redlin; Reiten; Tweten; Vosper; Walsh

ABSENT AND NOT VOTING: None

SB 2075 passed and the title was agreed to.

\*\*\*\*\*

SB 2181: A BILL for an Act to adopt the Uniform Postconviction Procedure Act (1980), relating to a remedy to a person convicted of and sentenced for a crime and the procedure for challenging the validity of the conviction or sentence; to repeal chapter 29-32 of the North Dakota Century Code, relating to the Uniform Postconviction Procedure Act; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker;

Peterson; Redlin; Reiten; Satrom; Shea; Stenehjøm;  
 Streibel; Stromme; Tallackson; Tennefos; Thane; Todd;  
 Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Vosper

ABSENT AND NOT VOTING: None

SB 2181 passed and the title was agreed to.

\*\*\*\*\*

#### MOTIONS

SEN. MUTCH MOVED that SB 2214 be laid over one legislative day, which motion prevailed.

SEN. THANE MOVED that SB 2311 which is on the Eleventh order, be rereferred to the Committee on Appropriations, which motion prevailed.

#### POINT OF PERSONAL PRIVILEGE

SEN. PARKER: Madam President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Madam President, ladies and gentlemen of the Senate, this past weekend the State Class B Wrestling Tournament was held in Jamestown. It is indeed a privilege and an honor for me to offer congratulations to the Velva High School wrestlers and their coach Mike Norland on winning the 1985 Class B State Wrestling Championship, but congratulations must go further. In the 17 years that a state wrestling tournament has been held, this is the fifth time that Velva has won the state championship. They have won titles in 1975, 1976, 1979, 1984 and 1985, all titles won under the coaching of Mike Norland.

Special recognition was also extended to Roger Slotsve, Superintendent of Schools in Velva for being chosen the top supporter of wrestling among state Class B superintendents.

The Spirit Award was also awarded to Velva High School and the Velva community.

A clean sweep at the 1985 State Class B Wrestling Tournament for Velva.

During the school year of 1983-1984, Velva High School won the State Class B Football Championship in eleven-man football, they won the State Class B Wrestling Championship and the State Class B Baseball Championship. This was an exceptional accomplishment, and Velva is not considered a large Class B school.

I can assure you, Madam President and members of this Senate, the academic structure of Velve High School under the able guidance of Roger Slotsve has not diminished one bit because of the athletic success of Velve High School.

Thank you, Madam President, for this privilege!

#### SECOND READING OF SENATE BILLS

SB 2343: A BILL for an Act to provide for the contingent adoption of the water's edge combination approach to unitary taxation for corporate income tax purposes; and to provide an effective date.

Which has been read.

#### MOTION

SEN. WRIGHT MOVED that SB 2343 be amended as follows:

On page 1, line 16, after the word "and" insert the words "functionally related"

On page 1, line 22, after the word "states" insert the following:

"concerning:

- a. Domestic disclosure spreadsheet.
- b. Exchange of information.
- c. Federal assistance.
- d. Internal Revenue Code audit activity.
- e. Joint study."

On page 1, line 25, after the word "operations" insert the following: ", but does not include section 78 gross-up of foreign taxes computed for the federal foreign tax credit"

On page 2, line 25, delete the words "Defined activities" and insert in lieu thereof the word "Activities"

On page 2, line 29, delete the word "defined"

On page 3, line 31, after the word "activities" insert the words ", and conducts a unitary business"

On page 3, line 32, delete the word "No" and insert in lieu thereof the following: "The state tax commissioner may require a multinational corporation to file a water's edge combined report or a worldwide combined report pursuant to the exceptions in this Act. However, no"

On page 4, delete lines 9 through 12

- On page 4, line 13, delete the numeral "4" and insert in lieu thereof the numeral "3"
- On page 4, line 16, delete the numeral "5" and insert in lieu thereof the numeral "4"
- On page 4, line 20, after the word "government" insert the words "and the record of any final court determination in another state involving the same taxpayer or unitary business"
- On page 4, line 21, delete the numeral "6" and insert in lieu thereof the numeral "5"
- On page 6, line 2, delete the words "as asserted by the state tax"
- On page 6, line 3, delete the words "commissioner if it fails to" and insert in lieu thereof the words ", and all income of the business shall be presumed to be functionally related income, if the corporation does not"
- On page 6, line 10, delete the words "in seeking to refute a"
- On page 6, delete lines 11 and 12
- On page 6, line 13, delete the words "of this Act" and insert in lieu thereof the words "regarding the issue of whether a corporation is a member of the water's edge combined group"
- On page 6, line 14, delete the word "domestic" and insert in lieu thereof the words "United States"
- And renumber the lines and pages accordingly

#### MOTIONS

SEN. WRIGHT MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. WRIGHT MOVED that the rules be suspended, that SB 2343 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SB 2343: A BILL for an Act to provide for the contingent adoption of the water's edge combination approach to unitary taxation for corporate income tax purposes; and to provide an effective date.

Which has been read and is placed on the calendar without recommendation.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 37 YEAS, 16 NAYS, 0 ABSENT AND NOT VOTING.

**YEAS:** Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Stromme; Tallackson; Vosper; Waldera; Wenstrom; Wogsland; Wright

**NAYS:** Adams; Bakewell; Berube; David; Freborg; Kilander; Lips; Meyer, W.; Moore; Shea; Streibel; Tennefos; Thane; Todd; Tweten; Walsh

**ABSENT AND NOT VOTING:** None

SB 2343 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

**SEN. NETHING MOVED** that the Senate stand in recess for fifteen minutes, which motion prevailed.

**THE SENATE RECONVENED** pursuant to recess taken, with the President presiding.

## MOTION

**SEN. STENEHJEM MOVED** that SB 2351 be placed at the foot of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILLS

**SB 2390:** A BILL for an Act to create and enact a new chapter to title 12.1 of the North Dakota Century Code, relating to the prohibition of sexual performances by children; and to amend and reenact section 14-10-06 of the North Dakota Century Code, relating to contributing to the deprivation of a minor.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

**YEAS:** Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore;

Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2390 passed and the title was agreed to.

\*\*\*\*\*

SB 2402: A BILL for an Act to establish a state advisory commission on intergovernmental relations.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 17 YEAS, 36 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Hilken; Ingstad; Lashkowitz; Lodoen; Maixner; Matchie; Mushik; Nething; Reiten; Stenehjerm; Todd; Vosper; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; Berube; Christensen; David; Freborg; Heinrich; Holmberg; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lips; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Satrom; Shea; Streibel; Stromme; Tallackson; Tennefos; Thane; Tweten; Waldera; Walsh

ABSENT AND NOT VOTING: None

SB 2402 was declared lost.

\*\*\*\*\*

SB 2422: A BILL for an Act to provide that a city operating a garbage collection and removal service outside the city is subject to inspection and taxation as are commercial collection and removal services.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 3 YEAS, 50 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Parker; Tweten; Vosper

**NAYS:** Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

**ABSENT AND NOT VOTING:** None

SB 2422 was declared lost.

\*\*\*\*\*

**SB 2437:** A BILL for an Act to create and enact a new section to chapter 12.1-27.1 of the North Dakota Century Code, relating to an affirmative defense to a charge of promoting obscenity to minors; and to amend and reenact section 12.1-27.1-03 of the North Dakota Century Code, relating to the promotion of obscenity to minors.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 4 YEAS, 49 NAYS, 0 ABSENT AND NOT VOTING.

**YEAS:** Freborg; Lashkowitz; Thane; Tweten

**NAYS:** Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

**ABSENT AND NOT VOTING:** None

SB 2437 was declared lost.

\*\*\*\*\*

**SB 2445:** A BILL for an Act to adopt the Uniform Law Commissioners' Model Criminal Responsibility and Post-trial Disposition Act, relating to the defense of lack of criminal responsibility; to amend and reenact sections 12.1-04-02 and 12.1-04-06 of the North Dakota Century Code, relating to the use of intoxication as a defense, and



psychiatric examinations of defendants for mental disease or defect; and to repeal sections 12.1-04-03 and 12.1-04-10 of the North Dakota Century Code, relating to lack of criminal responsibility as a defense, and the disposition of defendants found not criminally responsible.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2445 passed and the title was agreed to.

\*\*\*\*\*

SB 2452: A BILL for an Act to amend and reenact section 27-14-02 of the North Dakota Century Code, relating to causes for suspension or revocation of a certificate of admission to the bar.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Nelson

ABSENT AND NOT VOTING: None

SB 2452 passed and the title was agreed to.

\*\*\*\*\*

SB 2461: A BILL for an Act to amend and reenact section 57-43.1-02 of the North Dakota Century Code, relating to the rate of motor vehicle fuels tax on sales of gasoline which contains lead.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 14 YEAS, 39 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Heinrich; Kelsh; Krauter; Kusler; Maixner; Meyer, J.; Shea; Stromme; Tallackson; Thane; Tweten; Wogsland

NAYS: Adams; Bakewell; Berube; Christensen; David; Freborg; Hilken; Holmberg; Ingstad; Kelly; Kilander; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Tennefos; Todd; Vosper; Waldera; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2461 was declared lost.

\*\*\*\*\*

SB 2470: A BILL for an Act to amend and reenact subsection 2 of section 50-25.1-02 of the North Dakota Century Code, relating to the definition of abused child for purposes of child abuse reports and protection.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch;

Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Krauter

SB 2470 passed and the title was agreed to.

\*\*\*\*\*

SB 2479: A BILL for an Act to amend and reenact subsection 2 of section 43-30-01, and sections 43-30-04, 43-30-15, and 43-30-16 of the North Dakota Century Code, relating to the definition of private security service, rules adopted by the attorney general concerning the regulation of private investigative and security services, appeals to the private investigative and security board, and examination and license fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Satrom; Stromme

SB 2479 passed and the title was agreed to.

\*\*\*\*\*

SB 2485: A BILL for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, or in the alternative section 26.1-36-11 of the North Dakota Century Code as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to provisions in any accident or sickness insurance policy denying the insured the right to consult or employ the doctor or

chiropractor, or to enter the hospital or sanatorium of his or her choice.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 29 YEAS, 24 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Dotzenrod; Freborg; Heinrich; Hilken; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lodoen; Maixner; Matchie; Mushik; Naaden; Nelson; Parker; Redlin; Reiten; Satrom; Stromme; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wogsland

NAYS: Bakewell; Berube; Christensen; David; Heigaard; Holmberg; Ingstad; Kilander; Lips; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Nething; Olson; Peterson; Shea; Stenehjem; Streibel; Tallackson; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2485 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

SEN. PARKER MOVED that SB 2421 be returned to the Senate floor from the Committee on Transportation, which motion prevailed.

#### REQUEST

SEN. PARKER REQUESTED the unanimous consent of the Senate to withdraw SB 2421. There being no objection, it was so ordered by the President.

#### SECOND READING OF SENATE BILLS

SB 2493: A BILL for an Act to amend and reenact section 19-01-07 of the North Dakota Century Code, relating to fees paid the state laboratories department for contract services; to provide an effective date; and to declare an emergency.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 1 YEA, 51 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Lashkowitz

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler;

Langley; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Holmberg

SB 2493 was declared lost.

\*\*\*\*\*

SB 2503: A BILL for an Act to amend and reenact subsection 3 of section 57-06-02 and section 57-06-03 of the North Dakota Century Code, relating to the definition of pipeline company and the taxation of pipeline property.

Which has been read and has committee recommendation of DO NOT PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 26 YEAS, 27 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Kelly; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, J.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Holmberg; Ingstad; Kilander; Lips; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Wright

ABSENT AND NOT VOTING: None

SB 2503 was declared lost.

\*\*\*\*\*

#### REQUEST

SEN. SATROM REQUESTED the unanimous consent of the Senate to withdraw SB 2504 which is on the Eleventh order. There being no objection, it was so ordered by the President.

#### MOTION

SEN. WRIGHT MOVED that SCR 4044, which is on the Eleventh order be laid over two legislative days, which motion prevailed.

## SECOND READING OF SENATE BILLS

SB 2351: A BILL for an Act to amend and reenact section 26.1-17-12 of the North Dakota Century Code, relating to contract restrictions for nonprofit health service corporations.

Which has been read and has committee recommendation of DO NOT PASS.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 28 YEAS, 24 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Bakewell; Berube; David; Heigaard; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mutch; Peterson; Redlin; Satrom; Shea; Streibel; Tallackson; Tennefos; Thane; Tweten; Walsh; Wogsland; Wright

NAYS: Adams; Christensen; Dotzenrod; Freborg; Heinrich; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Reiten; Stenehjem; Stromme; Todd; Vosper; Wenstrom

ABSENT AND NOT VOTING: Waldera

SB 2351 passed and the title was agreed to.

\*\*\*\*\*

## REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2002 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, after the word "education" insert the words "  
Bismarck junior college, Lake Region community college,  
university of North Dakota-Williston center"

On page 1, line 16, delete the numerals "991,532" and insert in lieu thereof the numerals "975,493"

On page 1, line 22, delete the numerals "985,000" and insert in lieu thereof the numerals "1,685,000"

On page 1, delete lines 23 and 24

On page 1, line 25, delete the numerals "10,090,995" and insert in lieu thereof the numerals "9,574,821"

On page 1, line 26, delete the numerals "21,851,078" and insert in lieu thereof the numerals "13,048,089"

- On page 1, line 28, delete the numerals "21,451,078" and insert in lieu thereof the numerals "12,648,089"
- On page 2, line 5, delete the numerals "23,811,178" and insert in lieu thereof the numerals "15,008,189"
- On page 2, line 6, delete the numerals "400,000" and insert in lieu thereof the numerals "12,543,545"
- On page 2, line 7, delete the numerals "24,211,178" and insert in lieu thereof the numerals "27,551,734"
- On page 2, delete lines 8 through 33 and insert in lieu thereof the following line:

**"SECTION 2. Community and junior colleges."**

On page 3, after line 8, insert the following new sections:

**"SECTION 3. APPROPRIATION - COMMUNITY AND JUNIOR COLLEGES.** There is hereby appropriated from special funds derived from federal funds and other income, the sums as hereinafter provided, or so much thereof as may be necessary, to the various community and junior colleges for the purpose of defraying the expenses thereof, for the biennium beginning July 1, 1985, and ending June 30, 1987, as follows:

Bismarck junior college	\$7,890,002
Lake Region community college	1,834,036
University of North Dakota - Williston Center	2,419,507
Total	<u>\$12,143,545</u>

**SECTION 4. APPROPRIATION.** Any community college additional income not required by law to be deposited in operating funds in the state treasury is hereby appropriated. All income in excess of estimated income in the budgets appropriated by the legislative assembly to the community colleges must be deposited in their respective operating funds in the state treasury and can be expended only by authorization of the emergency commission.

**SECTION 5. TRANSFER.** The state board of higher education may make such transfers between line items in section 1 of this Act, other than private college tuition assistance and student financial assistance grants, as may be necessary and manageable to provide for board and/or institutional budget requirements.

**SECTION 6. APPROPRIATION.** There is hereby appropriated any funds received by the board of higher education, not otherwise appropriated, pursuant to federal acts and private grants for the purpose as designated in

such federal acts or private grants for the period beginning July 1, 1985, and ending June 30, 1987."

And renumber the lines, sections, and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

State Board of Higher Education

The salaries and wages line item is reduced by \$16,039 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium ( these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

Student financial assistance grants are increased by \$700,000 from the general fund.

The faculty positions pool line item in the amount of \$7,970,776 from the general fund is deleted with 92.45 positions transferred to the various institution budgets. Twelve positions provided for in the bill amounting to \$833,619 were deleted from the pool and not transferred to the institutions.

The physical plant pool line item of \$1 million from the general fund is deleted. The funding is allocated to NDSU - \$295,690; State School of Science - \$530,946; Mayville State College - \$110,872; and NDSU-Bottineau - \$62,491.

The community colleges line item is reduced by \$516,174 from the general fund. Of the total net reduction, \$414,720 is a reduction to allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases. The total net reduction includes \$16,680 to delete funding for outdoor lighting and office remodeling at Bismarck Junior College. Also deleted is \$1,056 for sidewalk work at UND-Williston. The total net reduction includes a general fund increase with a corresponding decrease to estimated income in Section 3 in the amounts of \$30,000 at Bismarck Junior College, and \$58,306 at Lake Region Community College. These amounts reflect revised July 1, 1985, cash carryover estimates. In addition, the general fund is decreased with corresponding increases to estimated income in Section 3 for the following:



Charging Minnesota students the Minnesota resident tuition rate:

Bismarck Junior College	\$ 2,064
Lake Region Community College	258

Tuition surcharge for increased tuition rates:

Bismarck Junior College	\$101,664
Lake Region Community College	26,046
UND-Williston	28,992

Foreign student tuition increase (\$500/year)

Bismarck Junior College	\$10,000
Lake Region Community College	2,000
UND-Williston	1,000

Sections 3 and 4 of the bill authorize spending of the community and junior college estimated income. The total estimated community college income is increased by \$83,718. The increased amount consists of the following:

	Bismarck Junior College	Lake Region Community College	UND- Williston	Total
Minnesota student tuition increase	\$ 2,064	\$ 258	\$ 0	\$ 2,322
Increased tuition surcharge	101,664	26,046	28,992	156,702
Foreign student tuition increase	10,000	2,000	1,000	13,000
Estimated changes in July 1, 1985, cash carryover	(30,000)	(58,306)	0	(88,306)
Total increase (decrease)	\$ 83,728	\$(30,002)	\$29,992	\$83,718

SEN. LIPS, Chairman

SB 2002 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2004 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

SB 2004 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2008 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

SB 2008 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Appropriations to which was referred SB 2010 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 17, delete the numerals "14,077,179" and insert in lieu thereof the numerals "13,658,539"

On page 1, line 19, delete the numerals "569,900" and insert in lieu thereof the numerals "549,900"

On page 1, line 21, delete the numerals "5,840,700" and insert in lieu thereof the numerals "5,790,700"

On page 1, line 22, delete the numerals "350,000" and insert in lieu thereof the numerals "300,000"

On page 1, line 23, delete the numerals "37,312,679" and insert in lieu thereof the numerals "36,774,039"

On page 1, line 24, delete the numerals "26,873,998" and insert in lieu thereof the numerals "26,736,194"

On page 1, line 25, delete the numerals "10,438,681" and insert in lieu thereof the numerals "10,037,845"

On page 2, line 2, delete the numerals "10,438,681" and insert in lieu thereof the numerals "10,037,845"

On page 2, line 3, delete the numerals "27,273,998" and insert in lieu thereof the numerals "27,136,194"

On page 2, line 4, delete the numerals "37,712,679" and insert in lieu thereof the numerals "37,174,039"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Department of Health

The salaries and wages line item is reduced by \$418,640 of which \$280,836 is from the general fund and \$137,804 is from other funds. This consists of a \$287,091 reduction, \$149,287 from the general fund for the legislative salary plan and \$131,549 from the general fund to delete a dental health program administrator position. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of 4 percent the second year of the biennium. Funds are allowed to provide a

minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The data processing line item is reduced by \$20,000 from the general fund.

The grants line item is reduced by \$50,000 from the general fund to delete funds for a proposed study of the impact of the medical prospective payment system on rural North Dakota hospitals and a pilot program on dental health services.

The lake rehabilitation line item is reduced by \$50,000 from the general fund to reduce the general fund support of this program.  
SEN. LIPS, Chairman

SB 2010 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Appropriations to which was referred SB 2012 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, after the word "Dakota" insert the words "; and to amend and reenact section 19-01-07 of the North Dakota Century Code, relating to fees paid the state laboratories department for contract services"

On page 1, line 12, delete the numerals "1,800,296" and insert in lieu thereof the numerals "1,783,081"

On page 1, after line 14, insert the following:

"Contract services expenses	50,000"
-----------------------------	---------

On page 1, after line 15, insert the following:

"Total all funds	\$2,379,509
Less estimated income	<u>50,000"</u>

On page 1, line 16, delete the numerals "2,346,724" and insert in lieu thereof the numerals "2,329,509" and the following section:

"SECTION 2. AMENDMENT. Section 19-01-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-01-07. Fees - Disposition. All revenues received and fees and charges collected under the provisions of this title shall be properly accounted for daily by the

assistant director and employees to the director of the department and by him recorded and entered upon his books by counties from which the fees and charges are received. The director shall forward all moneys so collected to the state treasurer monthly, and the treasurer shall place the same in the general fund of the state. Funds may be accepted from cities, counties, states, federal agencies, and private organizations for contract services of analytical and inspection work. Such funds shall be remitted by the department to the state treasurer and deposited in a special account in the state treasury, designated the "state laboratories contract services fund" to be used exclusively to carry out the intent and purposes of this section. Such funds are retained by the department for payment of expenditures incurred in rendering such services and are hereby appropriated to the department to be disbursed by the department in accordance with the intent and purposes of this section. Funds in excess of fifty thousand dollars received and disbursed during any biennial period pursuant to this section shall require emergency commission approval."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### State Laboratories Department

The salaries and wages line item is reduced by \$17,215 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

In addition, Section 2 is added and appropriation authority provided in Section 1 for a State Laboratories contract services fund, a revolving fund to handle funds received and disbursed relating to contract services of analytical and inspection work. Funds received and disbursed in excess of \$50,000 during a biennial period require Emergency Commission approval.

SEN. LIPS, Chairman

SB 2012 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2015 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "1,391,058" and insert in lieu thereof the numerals "1,309,381"

On page 1, line 14, delete the numerals "246,993" and insert in lieu thereof the numerals "229,415"

On page 1, line 17, delete the numerals "1,639,707" and insert in lieu thereof the numerals "1,540,452"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Department of Banking and Financial Institutions

The salaries and wages line item is reduced by "81,677 from the general fund consisting of \$32,550 for the legislative salary plan and \$49,127 for the phasing in of two new financial examiner positions. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The operating expenses line item is reduced by \$17,578 from the general fund, \$11,750 relates to the phasing in of the two financial examiner positions and \$5,828 relates to the eliminating of board member meal and lodging reimbursement.

SEN. LIPS, Chairman

SB 2015 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2016 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "459,133" and insert in lieu thereof the numerals "449,472"

On page 1, line 16, delete the numerals "507,273" and insert in lieu thereof the numerals "497,612"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Securities Commissioner

The salaries and wages line item is reduced by \$9,661. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

SEN. LIPS, Chairman

SB 2016 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2017 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the numerals "340,986" and insert in lieu thereof the numerals "332,449"

On page 1, line 13, delete the numerals "168,352" and insert in lieu thereof the numerals "158,352"

On page 1, line 15, delete the numerals "511,658" and insert in lieu thereof the numerals "493,121"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Livestock Sanitary Board

The salaries and wages line item is reduced by \$8,537 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustment, and are not intended to be across-the-board salary increases.

The operating expense is decreased \$10,000 to reduce funding in professional services for legal fees.

SEN. LIPS, Chairman

SB 2017 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2021 has had the same under consideration and

recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, delete the numerals "205,542" and insert in lieu thereof the numerals "200,407"

On page 1, line 16, delete the numerals "1,515,450" and insert in lieu thereof the numerals "1,215,450"

On page 1, line 17, delete the numerals "1,828,447" and insert in lieu thereof the numerals "1,523,312"

On page 1, line 18, delete the numerals "1,347,731" and insert in lieu thereof the numerals "1,197,731"

On page 1, line 19, delete the numerals "480,716" and insert in lieu thereof the numerals "325,581"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Council on the Arts

The salaries and wages line item is reduced by \$5,135 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of 4 percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

The grants, benefits, and claims line item is reduced by \$300,000, \$150,000 from the general fund, to delete funds for the National Endowment for the Arts test program of support for local arts agencies.

SEN. LIPS, Chairman

SB 2021 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Appropriations to which was referred SB 2029 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, delete the numerals "615,246" and insert in lieu thereof the numerals "766,611"

On page 1, line 17, delete the numerals "375,233" and insert in lieu thereof the numerals "601,330"

- On page 1, line 18, delete the numerals "460,163" and insert in lieu thereof the numerals "673,800"
- On page 1, line 19, delete the numerals "8,361" and insert in lieu thereof the numerals "18,800"
- On page 1, line 20, delete the numerals "50,000" and insert in lieu thereof the numerals "150,000"
- On page 1, line 21, delete the numerals "1,509,003" and insert in lieu thereof the numerals "2,210,541"
- On page 1, line 25, delete the numerals "61,044" and insert in lieu thereof the numerals "59,461"
- On page 1, line 27, delete the numerals "1,500" and insert in lieu thereof the numerals "3,000"
- On page 2, line 1, delete the numerals "3,000" and insert in lieu thereof the numerals "1,500"
- On page 2, line 2, delete the numerals "73,182" and insert in lieu thereof the numerals "71,599"
- On page 2, line 4, delete the numerals "1,582,185" and insert in lieu thereof the numerals "2,282,140"

And renumber the lines accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Public Employees Retirement Board

The salaries and wages line item is increased by \$151,365 from other funds. Of the total, \$2,184 is a decrease. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases. The total also includes an increase of \$153,549 to provide \$44,732 for 1 FTE Administrative Officer II, \$46,710 for 1 FTE Accountant II, \$27,107 for 1 FTE Account Clerk, and \$35,000 for .5 FTE Programmer I Analyst III.

Operating expenses are increased as follows:

Errors and omission insurance premiums	\$20,000
Office rent	72,000
Postage	7,000
Telephone	16,300



Printing	5,000
Office supplies	1,650
Board honorarium	16,800
Professional services	44,000
Utilities	3,900
Employee travel	28,421
Microfilming	1,026
Moving expense	1,000
Miscellaneous	9,000
Total	<u>\$226,097</u>

Data processing is increased \$213,637 to provide for continuing operations at the present service levels.

Equipment is increased \$10,439 to provide desks and office partitions for new positions.

The contingency fund is increased by \$100,000 to provide additional funds for unforeseen anticipated expenditures.

#### Deferred Compensation Committee

The salaries and wages line item is reduced by \$1,583 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

Data processing is increased to \$3,000 and equipment is reduced to \$1,500 to reflect correctly the intended levels of funding.

SEN. LIPS, Chairman

SB 2029 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2032 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 9, after the word "from" insert the words "special funds derived from federal funds and"

On page 1, line 17, delete the numerals "3,250,357" and insert in lieu thereof the numerals "3,180,952"

On page 1, line 22, delete the numerals "5,046,496" and insert in lieu thereof the numerals "4,977,091"

On page 1, line 26, delete the numerals "70,000" and insert in lieu thereof the numerals "30,000"

On page 1, line 27, delete the numerals "193,500" and insert in lieu thereof the numerals "303,500"

On page 1, after line 27, insert the following new lines:

"Total	333,500
Less estimated income	<u>70,000"</u>

On page 2, line 2, delete the numerals "5,046,496" and insert in lieu thereof the numerals "5,047,091"

On page 2, line 3, delete the numerals "5,309,996" and insert in lieu thereof the numerals "5,310,591"

And renumber the lines and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Workmen's Compensation Bureau

The salaries and wages line item is reduced by \$69,405 from other funds. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

##### Crime Victims Reparation

The operating expenses line item is decreased by \$40,000 and the grants line item is increased by \$40,000 to reflect a more realistic level of operating expenses (\$30,000) for the crime victims program and to provide additional funds for grants to crime victims. The grants line item is further increased by \$70,000 from special funds to reflect federal funds which may become available for the crime victims reparation program. Any available federal funds may not be used to supplant general fund grants.

SEN. LIPS, Chairman

SB 2032 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2034 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LIPS, Chairman

SB 2034 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Appropriations to which was referred SB 2035 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the numerals "303,733" and insert in lieu thereof the numerals "295,878"

On page 1, line 19, delete the numerals "1,445,535" and insert in lieu thereof the numerals "1,437,680"

And renumber the lines and pages accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

Soil Conservation Committee

The salaries and wages line item is reduced by \$7,855 from the general fund. This will allow funds for average salary increases of 5.5 percent the first year of the biennium (these funds are to continue the cost of an average increase of 5.5 percent on April 1, 1985) and average salary increases of four percent the second year of the biennium. Funds are allowed to provide a minimum increase of \$50 per month for each year of the biennium. The salary increases are to be based on merit, performance, or equity adjustments, and are not intended to be across-the-board salary increases.

SEN. LIPS, Chairman

SB 2035 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Transportation to which was referred SB 2109 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 24, remove the overstrike over the word "thirty", and delete the word "fifteen"

On page 1, line 26, after the period insert the following sentence: "If the offender is the holder of a class 1 license, and the suspension is based on the offender's use of a vehicle which may be operated without a class 1 license, the authority shall issue a temporary restricted license that takes effect on the day following receipt by the authority of the written application. The temporary restricted license is valid through the remainder of the suspension period and authorizes, at a minimum, operation by the offender of vehicles that may only be operated by a holder of a class 1 license."

And renumber the lines and pages accordingly

SEN. MUTCH, Chairman

SB 2109 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2163 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 26, delete the words "shall be inoperative" and insert in lieu thereof the words "is ineffective"

And renumber the lines accordingly

SEN. MUTCH, Chairman

SB 2163 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2164 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, delete the word "four" and insert in lieu thereof the word "three"

And renumber the lines and pages accordingly

SEN. MUTCH, Chairman

SB 2164 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was rereferred SB 2167 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 4, delete the first word "and"

On page 1, line 5, after the word "odometers" insert the words " and to provide a penalty"

On page 1, line 11, overstrike the words "Any person altering" and insert immediately thereafter the words "A person may not willfully, as defined in section 12.1-02-02, alter"

On page 1, line 14, overstrike the words ", shall be guilty of" and insert immediately thereafter the words ". Violation of this section is", and immediately after the word "felony" insert the following: "if the person has previously been convicted of violating this section, or if the person has violated this section with respect to more"

than one vehicle, and a class A misdemeanor in all other cases"

And renumber the lines and pages accordingly

SEN. MUTCH, Chairman

SB 2167 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2197 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the words "to create and enact a new section to chapter 52-04"

On page 1, delete line 2

On page 1, line 3, delete the words "officers for unemployment compensation contributions;"

On page 1, delete lines 13 through 25

On page 13, line 1, delete the words "reasonably calculated"

On page 13, delete lines 2 and 3

On page 13, line 4, delete the words "October first of each calendar year"

On page 13, line 13, after the overstruck period insert the following: "An adequate trust fund reserve as of October 1, 1986, must be at least fifteen percent of the average annual amount of benefits paid. An adequate trust fund reserve as of October 1, 1987, and each October first thereafter, must be at least twenty-five percent of the average annual amount of benefits paid. The eventual goal of the amount of the trust fund reserve is fifty percent of the average annual amount of benefits paid. The average annual amount of benefits paid shall be computed by dividing the total amount of benefits paid and projected to be paid during the previous thirty-six months by three."

On page 15, remove the overstrike over lines 28 through 30

On page 15, delete lines 31 through 35

On page 16, line 1, delete the words "bureau. In addition, moneys" and insert in lieu thereof the word "Moneys"

And renumber the lines, sections, and pages accordingly

SEN. REITEN, Chairman

SB 2197 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Appropriations to which was referred SB 2249 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 4 of the engrossed bill, line 25, delete the numerals "1,370,520" and insert in lieu thereof the numerals "400,000"

**STATEMENT OF PURPOSE OF AMENDMENT:**

The moneys appropriated out of the lands and minerals trust fund to the common school trust fund is reduced by \$970,520 to \$400,000. Since loan fund No. 3 will not need the full \$5,400,000 on July 1, 1985, consequently the lands and minerals interest and principal payments to the common school fund can be reduced to \$400,000.

**SEN. LIPS, Chairman**

SB 2249 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Industry, Business and Labor to which was referred SB 2251 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "to" insert the words "create and enact two new sections to chapter 10-19.1 of the North Dakota Century Code as created by Senate Bill No. 2041, as approved by the forty-ninth legislative assembly, relating to the Business Corporation Act, or in the alternative to", and delete the words "subsection 3 of section"

On page 1, delete lines 2 and 3

On page 1, line 4, delete the words and numerals "subsections 2 and 3 of section 10-19-66," and delete the numerals "10-21-01,"

On page 1, line 5, delete the numerals and words "10-22-01, 10-22-02, subsection 3 of section"

On page 1, delete lines 6 and 7

On page 1, line 8, delete the words and numerals "section 10-22-16, sections 10-22-17,"

On page 1, line 9, delete the word "and", and after the numeral "10-23-05" insert the word and numeral ", and 10-23-06"

On page 1, line 10, delete the words "to repeal subsection 4 of section" and insert in lieu thereof the words "and to declare an emergency"

On page 1, delete lines 11 and 12

On page 1, line 13, delete the word "Act"

On page 1, delete lines 16 through 26 and insert in lieu thereof the following two new sections:

"SECTION 1. A new section to chapter 10-19.1 of the North Dakota Century Code as created by Senate Bill No. 2041, as approved by the forty-ninth legislative assembly, is hereby created and enacted to read as follows:

Failure to file annual report - Notice by secretary of state. The secretary of state shall notify any corporation failing to file its annual report within three months after the date required under section 10-23-02 that its certificate of incorporation is not in good standing and that it may be dissolved pursuant to section 10-21-13.2. Notice by the secretary of state shall be mailed to the corporation's last registered agent at the last registered office of record. If, however, the corporation files its annual report after the notice, together with the annual report filing fee as prescribed by section 10-23-04 and the late filing penalty fee as prescribed by section 10-23-02, its certificate of incorporation must be restored to good standing by the secretary of state.

SECTION 2. A new section to chapter 10-19.1 of the North Dakota Century Code as created by Senate Bill No. 2041, as approved by the forty-ninth legislative assembly, is hereby created and enacted to read as follows:

Involuntary dissolution for failure to file annual report. A corporation that fails to file its annual report along with those statutory filing and penalty fees within one year after the date required by section 10-23-02, ceases to exist and is considered involuntarily dissolved by operation of law. The secretary of state shall note the dissolution of the corporation's certificate of incorporation on the records of the secretary of state and shall give notice of the action to the dissolved corporation. Notice by the secretary of state must be mailed to the corporation's last registered agent at the last registered office of record."

Delete pages 2 through 7

On page 8, line 1, delete the second word "Section" and insert in lieu thereof the words "If Senate Bill No. 2041 of the

forty-ninth legislative assembly does not become effective, section"

On page 8, line 23, delete the second word "Section" and insert in lieu thereof the words "If Senate Bill No. 2041 of the forty-ninth legislative assembly does not become effective, section"

On page 9, delete lines 3 through 34

Delete pages 10 through 15

On page 16, delete lines 1 through 29

On page 17, line 23, overstrike the words ", as defined in section"

On page 17, line 24, overstrike the numerals "10-19-02", and after the period insert the words ""Stated capital" means, at any particular time, the sum of the following:

a. The par value of all shares of the corporation having a par value, which have been issued.

b. The amount of the consideration received by the corporation for all shares of the corporation without par value, which have been issued, except such part of the consideration thereof as may have been allocated to capital surplus in a manner permitted by law.

c. Such amounts not included in subdivisions a and b as have been transferred to stated capital of the corporation, whether upon the issue of shares as a share dividend or otherwise, minus all reductions from such sum as have been effected in a manner permitted by law. Irrespective of the manner of designation thereof by the laws under which a foreign corporation is organized, the stated capital of a foreign corporation must be determined on the same basis and in the same manner as the stated capital of a domestic corporation, for the purpose of computing fees and other charges imposed by chapters 10-19.1 through 10-23."

On page 23, after line 22, insert the following two new subsections:

"23. Filing articles of abandonment of merger, thirty dollars.



24. Filing a consent to use of name, ten dollars."

On page 24, after line 2, insert the following new section:

"SECTION 10. AMENDMENT. Section 10-23-06 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

10-23-06. License fees payable by domestic corporations - Exempting building and loan and savings and loan associations. The secretary of state shall charge and collect from each domestic corporation license fees, based upon the value of its authorized shares, at the time of:

1. Filing articles of incorporation.
2. Filing articles of amendment increasing the number or value of authorized shares.
3. Filing articles of merger or consolidation increasing the number or value of authorized shares which the surviving or new corporation, if a domestic corporation, will have authority to issue above the aggregate number or value of shares which the constituent domestic corporations and constituent foreign corporations authorized to transact business in this state had authority to issue.

The license fees shall be the sum of fifty dollars for the first fifty thousand dollars of its authorized shares, or fraction thereof, and the further sum of ten dollars for every additional ten thousand dollars of its authorized shares, or fraction thereof, in excess of fifty thousand dollars.

The license fees payable on an increase in authorized shares shall be imposed only on the additional shares, but the amount of previously authorized shares shall be taken into account in determining the rate applicable to the additional authorized shares.

For the purposes of this section, shares without par value shall be considered worth ~~one dollar~~ ten cents per share.

The provisions of this section shall not apply to a building and loan or savings and loan association."

On page 24, delete lines 3 through 5 and insert in lieu thereof the following new section:

"SECTION 11. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines, sections, and pages accordingly  
SEN. REITEN, Chairman

SB 2251 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2255 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, overstrike the word "a"

On page 1, line 12, delete the word "slope" and insert in lieu thereof the words "an inslope", and after the word "one" insert the following words ", where feasible,"

And renumber the lines and pages accordingly  
SEN. MUTCH, Chairman

SB 2255 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2278 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

SB 2278 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2321 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 3, delete the words "to nonresident Indians"

On page 1, line 4, after the word "hospital" insert the words "to an Indian who resides on an Indian reservation"

On page 1, line 9, delete the words "of nonresident Indians", and after the word "hospital" insert the words "of an Indian who resides on an Indian reservation"

On page 2, line 5, delete the word "nonresident", and after the word "Indians" insert the words "who reside on an Indian reservation"

- On page 2, line 8, delete the word "Nonresident", and after the first word "Indian" insert the words "who resides on an Indian reservation"
- On page 2, line 22, delete the words "a nonresident" and insert in lieu thereof the word "an", and after the word "Indian" insert the words "who resides on an Indian reservation"
- On page 3, line 7, delete the word "nonresident" and after the word "Indians" insert the words "who reside on an Indian reservation"
- On page 3, line 16, delete the words "a nonresident" and insert in lieu thereof the word "an", and after the word "Indian" insert the words "who resides on an Indian reservation"
- On page 3, line 26, delete the words "a nonresident" and insert in lieu thereof the word "an", and after the word "Indian" insert the words "who resides on an Indian reservation"
- On page 3, line 28, delete the word "nonresident", and after the word "Indian" insert the words "who resides on an Indian reservation"
- On page 4, line 5, delete the word "nonresident" and after the word "Indians" insert the words "who reside on an Indian reservation"

And renumber the lines and pages accordingly

SEN. STENEHJEM, Chairman

SB 2321 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2338 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 2, after the numerals "20.1-03-11" insert the words "and a new section to chapter 20.1-03"
- On page 1, line 3, after the word "elk" insert the words "and the governor's proclamation on the hunting of elk"
- On page 1, line 11, after the word "leased" insert the words "and actively farmed or ranched"
- On page 1, line 13, delete the words "without charge" and insert in lieu thereof the words "upon payment of the fee requirement for a resident big game license", and after the word "a" insert the words "preferential landowner"
- On page 1, line 15, delete the words "without charge"

On page 1, line 17, after the word "not" insert the words "be less than one permit, nor", and delete the word "twenty" and insert in lieu thereof the word "fifteen"

On page 1, line 20, delete the words "without charge"

On page 1, line 23, delete the words "without charge"

On page 1, after line 24 insert the following words and new section: "A person who receives a license under this section is not eligible to apply for a license to hunt elk in future years. License to hunt elk will not be issued under this section when the total number of licenses prescribed in the governor's proclamation is less than twenty. If a person receives a license under this subsection, the person's spouse, children, and parents living with the person are not eligible to receive a license under this subsection for the district or unit in which the land described in the affidavit is located, unless the person has sold or otherwise transferred the person's rights to the land described in the affidavit.

**SECTION 2.** A new section to chapter 20.1-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

**Governor's proclamation concerning the hunting of elk - License recipients not eligible to apply again.** The governor may by proclamation provide for a season to hunt elk in a manner, number, places, and times as the governor shall prescribe. Licenses to hunt elk must be issued by lottery, except as provided under section 1 of this Act, with only residents eligible to apply. A person who has received a license to hunt elk is not eligible to apply for another such license."

And renumber the lines and pages accordingly

SEN. MOORE, Chairman

SB 2338 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Judiciary to which was referred SB 2373 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 24, delete the words "above prescribed levels" and insert in lieu thereof the words "of at least ten one-hundredths of one percent by weight"

On page 1, line 26, delete the word "photostatic" and insert in lieu thereof the word "certified"

- On page 1, line 28, delete the words "whether or not"
- On page 2, line 1, delete the words "those copies are certified"
- On page 9, line 19, after the word "inpatient" insert the words "or outpatient"
- On page 9, delete lines 21 through 23
- On page 9, line 24, delete the words "approved by the state department of human services."
- On page 13, line 27, after the numerals "19-03.1-01" insert the words "and the words 'chemical test' or 'chemical analysis' mean any test to determine the alcoholic, or other drug, or combination thereof, content of the blood, breath, saliva, or urine, approved by the state toxicologist under this chapter"
- On page 15, line 8, remove the overstrike over the word "~~twenty~~" and delete the word "thirty"
- On page 17, line 17, remove the overstrike over the word "~~twenty~~" and delete the word "thirty"
- On page 17, line 18, after the word "issuance" insert the words "or until earlier terminated by the decision of a hearing officer under section 39-20-05"
- On page 17, line 31, remove the overstrike over the word "~~twenty~~" and delete the word "thirty"
- On page 17, line 32, after the word "mailing" insert the words "or until earlier terminated by the decision of a hearing officer under section 39-20-05"
- On page 19, line 1, delete the word "thirty" and insert in lieu thereof the word "twenty", and after the word "days" insert the words "or until earlier terminated by a decision of a hearing officer under section 39-20-05"
- On page 22, line 17, remove the overstrike over the word "~~five~~"
- On page 22, line 18, delete the word "seven"
- On page 22, line 19, remove the overstrike over the word "~~twenty~~"
- On page 22, line 20, delete the word "thirty"
- On page 22, line 21, after the word "permit" insert the words "but the hearing officer may extend the hearing to within thirty days after the issuance of the temporary operator's permit if good cause is shown. If the hearing date is extended beyond twenty days from the issuance of the"

temporary operator's permit, the commissioner shall provide extended temporary operator's privileges to the date of the hearing"

- On page 25, line 29, after the word "shall" insert the words ", on the date for which the hearing is scheduled,"
- On page 25, line 30, delete the words "send by certified" and after the comma insert the words "by regular mail,"
- On page 26, line 7, remove the overstrike over the word "~~the~~"
- On page 26, line 8, delete the words "receipt of a copy" and insert in lieu thereof the word "date", overstrike the word "decision", delete the words "at the", and delete the words "or by"
- On page 26, line 9, delete the words "certified mail" and after the numerals "39-20-05" insert the words "as shown by the date of the hearing officer's decision"
- On page 27, line 25, overstrike the word "~~breath~~" and insert immediately thereafter the words "air or grams of alcohol per sixty-seven cubic centimeters of urine"
- On page 27, line 34, overstrike the word and comma "~~techniques,~~" and overstrike the second comma
- On page 28, line 10, overstrike the words "~~and techniques~~"
- On page 28, line 16, overstrike the words "~~A quarterly~~" and insert immediately thereafter the words "An annual"
- On page 28, line 19, overstrike the words "~~A quarterly~~" and insert immediately thereafter the words "An annual"
- On page 28, line 23, overstrike the words "~~and techniques~~"
- On page 28, after line 25, insert the following sentence to the subsection: "The material filed under this section may be supplemented when the state toxicologist determines it to be necessary, and any supplemental material has the same force and effect as the material that it supplements."
- On page 29, line 19, overstrike the word "~~a~~", delete the words "urine sample and", overstrike the words "~~blood specimen~~" and insert immediately thereafter the word "specimens", and overstrike the word "~~at~~"
- On page 29, line 20, overstrike the words "~~least twenty cubic centimeters~~" and insert immediately thereafter the words "blood, urine, and vitreous humor"

On page 29, line 23, delete the words "urine samples and" and overstrike the word "blood"

On page 29, line 25, delete the words "urine and", and overstrike the word "blood" and insert immediately thereafter the word "specimens"

On page 30, line 1, delete the words "urine or", and overstrike the word "blood" and immediately thereafter insert the words "the specimens"

On page 30, line 2, overstrike the first word "of", and delete the words "urine or" and overstrike the word "blood"

On page 30, line 4, delete the words "urine sample or"

On page 30, line 5, overstrike the words "blood sample" and insert immediately thereafter the word "specimens"

On page 30, line 6, delete the words "urine or" and overstrike the word "blood"

On page 31, line 7, after the period insert the following new sentence: "For the purposes of this section, "chemical test operator" means a person certified by the state toxicologist as qualified to perform analysis for alcohol in a person's blood, breath, saliva, or urine.""

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2373 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2375 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

SB 2375 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2388 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

SB 2388 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2391 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "council" and insert in lieu thereof the words "committee as a standing committee of the state health council"

On page 1, line 4, delete the first semicolon and insert in lieu thereof the words ", and to establish a health care data advisory council to advise the health care data committee of the health council; and", and delete the words "; to provide for an appropriation;"

On page 1, line 5, delete the words "and to provide an expiration date"

On page 1, after line 7, insert the following new section:

**"SECTION 1. Health care data committee of state health council - Membership - Appointments.** There is hereby established a health care data committee as a standing committee of the state health council. The health care data committee must consist of a minimum of three and a maximum of five members, appointed by the governor from the members of the health council. A majority of the members of the health care data committee must be consumer members of the health council."

On page 1, line 8, after the word "data" insert the word "advisory"

On page 1, line 9, after the word "data" insert the word "advisory"

On page 1, line 16, after the word "data" insert the word "advisory"

On page 1, line 19, after the word "data" insert the word "advisory", and delete the words "meet at least quarterly" and insert in lieu thereof the words "serve in an advisory capacity to the health care data committee"

On page 1, line 20, after the word "data" insert the word "advisory"

On page 1, line 24, after the word "data" insert the word "advisory"

On page 1, line 26, after the word "data" insert the word "advisory"

On page 2, line 1, delete the word "council" and insert in lieu thereof the word "committee"

On page 2, line 2, delete the word "council" and insert in lieu thereof the word "committee"



- On page 2, line 10, delete the word "council" and insert in lieu thereof the word "committee"
- On page 2, line 14, delete the word "council" and insert in lieu thereof the word "committee"
- On page 2, line 15, delete the word "council" and insert in lieu thereof the word "committee"
- On page 2, line 19, delete the word "council" and insert in lieu thereof the word "committee"
- On page 2, line 23, delete the word "council" and insert in lieu thereof the word "committee"
- On page 2, line 27, delete the first word "council" and insert in lieu thereof the word "committee", and delete the second word "council" and insert in lieu thereof the word "committee"
- On page 2, line 29, delete the word "council" and insert in lieu thereof the word "committee"
- On page 2, line 30, delete the word "council" and insert in lieu thereof the word "committee"
- On page 2, line 32, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 1, after the word "provide" insert the words "access to", delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 3, delete the words "The health care data council"
- On page 3, delete line 4
- On page 3, line 5, delete the words "executive director" and insert in lieu thereof the word "committee", and after the word "with" insert the words "and among"
- On page 3, line 10, delete the words "executive director" and insert in lieu thereof the word "committee"
- On page 3, line 14, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 16, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 18, delete the word "council" and insert in lieu thereof the word "committee"

- On page 3, line 20, delete the comma and words ", nor may the person be held liable for willful"
- On page 3, line 21, delete the words "violation of a privileged communication"
- On page 3, line 22, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 24, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 27, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 28, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 31, delete the word "council" and insert in lieu thereof the word "committee"
- On page 3, line 32, delete the word "council's" and insert in lieu thereof the word "committee's"
- On page 4, line 1, delete the word "council" and insert in lieu thereof the word "committee"
- On page 4, delete lines 8 through 15

And renumber the lines, sections, and pages accordingly

SEN. STENEHJEM, Chairman

SB 2391 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your **Committee on Transportation** to which was referred SB 2405 has had the same under consideration and recommends that the same **BE AMENDED AS FOLLOWS** and when so amended, recommends the same **DO PASS**:

- On page 1, line 1, after the word "reenact" insert the words "subdivision e of subsection 3 of section 39-06-14 and"
- On page 1, line 2, after the word "to" insert the words "operation of motorcycles by persons less than sixteen years old, and to"
- On page 1, after line 5, insert the following section:

"SECTION 1. AMENDMENT. Subdivision e of subsection 3 of section 39-06-14 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- e. Applicants fourteen or fifteen years of age may be issued a motorcycle learner's permit if the applicant is enrolled in or has completed an approved motorcycle safety course. Applicants for a motorcycle operator's license who are under sixteen shall hold an initial learner's permit for at least two months before applying for a class 4 operator's license, shall have completed an approved motorcycle safety course, and shall hold a valid motorcycle learner's permit at the time of application. Any person under sixteen years of age who holds a permit or license is restricted to the operation of a motorcycle powered with an engine of two hundred fifty cubic centimeters, or less, displacement. Evidence that the applicant has met one of the following standards shall satisfactorily completed a motorcycle safety course which meets the minimum requirements of the motorcycle safety foundation must accompany the application for a class 4 license:

- (1) Satisfactory completion of a motorcycle course which included at least six hours of classroom instruction and six hours of actual motorcycle operation.
- (2) Successful completion of a motorcycle course at an approved commercial driver training school which included at least six hours of classroom instruction and six hours of actual motorcycle operation."

And renumber the lines, sections, and pages accordingly

SEN. MUTCH, Chairman

SB 2405 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2410 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 7, delete the words "Council" means the state health council" and insert in lieu thereof the words "Advisory board" means the following or their appointed agents: secretary of state as chairperson, the director of the state laboratories department, the state health officer, and the president of the North Dakota environmental health association. The secretary of state

shall appoint one agent of a district or local health unit and one consumer."

On page 1, delete lines 9 through 12

On page 1, line 17, delete the words "the adequate performance of which requires physical,"

On page 1, delete lines 18 through 20

On page 1, line 21, delete the words "health sciences to services or work"

On page 1, line 22, after the third comma insert the word "and" and delete the fourth comma and insert in lieu thereof the words "in the environmental program areas of food, beverage, housing, and lodging sanitation"

On page 1, delete lines 23 through 25

On page 1, line 26, delete the words "this state and the rules adopted under those laws"

On page 2, after line 3, insert the following new section:

"SECTION 3. Advisory board duties and compensation. The advisory board shall meet at the request of the secretary of state to assist in implementation of duties as defined in section 4. The advisory board shall be reimbursed for any necessary expenses, but shall serve without further compensation except as may be authorized and fixed by the secretary of state by rule."

On page 2, line 4, delete the first word "council" and insert in lieu thereof the words "secretary of state", and delete the second word "council" and insert in lieu thereof the words "secretary of state"

On page 2, after line 15, insert the following new subsections:

"9. Reimbursement of advisory board expenses.

10. Emergency exemptions as to requirements for licensure under this Act."

On page 2, line 16, delete the words "Within the state"

On page 2, delete lines 17 and 18

On page 2, line 19, delete the words "required to be licensed as environmental health practitioners."

On page 2, line 20, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 2, after line 24, insert the following new section:

"SECTION 6. Environmental health practitioner licensure fee administration fund. There shall be maintained in the state treasury a special fund to be known as the environmental health practitioner licensure fee administrative fund. All money deposited or paid into this fund shall be continuously available to the secretary of state for reimbursement to the advisory board, and shall not lapse at any time or be transferred to any other fund. The fund shall consist of any money collected by the secretary of state in accordance with section 4 of this Act."

On page 2, line 25, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 2, line 32, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 2, line 33, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 2, line 35, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 3, line 3, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 3, line 6, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 3, line 8, delete the word "council" and insert in lieu thereof the words "secretary of state"

On page 3, line 9, delete the word "council" and insert in lieu thereof the words "secretary of state"

And renumber the lines, sections, subsections, and pages accordingly

SEN. STENEHJEM, Chairman

SB 2410 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2415 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "15-47-26" insert the word and numerals "and 15-47-27"

On page 1, line 8, after the second period insert the numeral "1."

On page 1, line 16, overstrike the words "For purposes"

On page 1, overstrike lines 17 through 19

On page 1, line 20, overstrike the words "their first year of teaching", and delete the words ", or teachers who begin employment with"

On page 1, delete line 21

On page 1, line 22, delete the words "school year", and overstrike the period and immediately thereafter insert the following:

"2. For purposes of sections 15-47-27 and 15-47-38, the term "teacher" does not include teachers who are replacing teachers on leave of absence or sabbatical leave or teachers who are in their first year of teaching, or teachers who begin employment with a public school district to fill an unexpected vacancy which occurs between October first and the end of the school year. Notice of nonrenewal and formal written evaluations must be given to all public schoolteachers described in this subsection according to the dates for such actions as is required for first year teachers under section 15-47-27.1. For all other purposes of this title, the term "teacher" includes all teachers employed by a public school district. At the discretion of the employer, sections 15-47-27 and 15-47-38 may be applied to the teachers described in this subsection if those provisions are specifically agreed to in the employment contract."

On page 1, after line 22, insert the following new section:

"SECTION 2. AMENDMENT. Section 15-47-27 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-47-27. Time for renewal of teachers' contracts. Any teacher who has been employed by any school district or the director of institutions in this state during any school year, shall be notified in writing by the school board or the director of institutions, as the case may be, not earlier than March first and not later than May first in the school year in which he or she has been employed to teach, of the determination not to renew the teacher's contract for the ensuing school year, if such determination

has been made; and failure to give such written notice on or before said date shall constitute an offer to renew the contract for the ensuing school year under the same terms and conditions as the contract for the then current year. On or before May first in any year and not earlier than March first, all teachers shall be notified of a date, which shall not be less than thirty days after the date of such notice, upon which they will be required to accept or reject proffered reemployment, and failure on the part of the teacher to accept said offer within such time shall be deemed to be a rejection of the offer. Any teacher who shall have accepted the offer of reemployment, either by the action or nonaction of the school board or the director of institutions, on or before May first, as herein provided, shall be entitled to the usual written contract for the ensuing school year, as provided by law and shall notify the school board or the director of institutions in writing of his or her acceptance or rejection on or before the date specified or before June first, whichever is earlier. Failure on the part of the teacher to provide such notification shall relieve the school board or the director of institutions of the continuing contract provision of sections 15-47-26 through 15-47-28. Nothing in this section shall be construed as in any manner repealing or limiting the operation of any existing law with reference to the dismissal of teachers for cause. Each district shall have an established system through which two written evaluations are prepared for every teacher employed by the district during each school year. These written performance reviews shall be completed and made available to the teacher no later than December fifteenth for the first review and February twenty-eighth for the second review each year. The dates for the evaluation of teachers as that term is defined in subsection 2 of section 15-47-26 may be adjusted by the school board according to the evaluation dates required for first year teachers under section 15-47-27.1."

And renumber the lines and pages accordingly

SEN. PETERSON, Chairman

SB 2415 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2443 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 8, remove the overstrike over the words "~~one-half of one percentage point~~"

On page 2, line 9, remove the overstrike over the word "~~below~~"

And renumber the lines and pages accordingly

SEN. WRIGHT, Chairman

SB 2443 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2450 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 4, delete the word "filing" and insert in lieu thereof the word "notice"
- On page 1, line 6, delete the word "filing" and insert in lieu thereof the word "notice"
- On page 1, line 12, delete the words "to provide an appropriation;"
- On page 3, line 23, delete the word "filing" and insert in lieu thereof the word "notice"
- On page 3, line 30, delete the word "filing" and insert in lieu thereof the word "notice"
- On page 3, line 32, immediately after the comma insert the words "the secured party shall advise"
- On page 3, line 33, after the word "operations" insert the words "that the person"
- On page 4, line 6, after the word "liens" insert the words "against such crops or livestock"
- On page 4, line 9, after the word "lienholders" insert the words "who have a security interest or lien in the crops or livestock sold and"
- On page 6, line 9, delete the second word "filing" and insert in lieu thereof the word "notice"
- On page 6, line 30, delete the word "filing" and insert in lieu thereof the word "notice"
- On page 6, line 32, delete the word "filing" and insert in lieu thereof the word "notice"
- On page 7, line 17, delete the word "filing" and insert in lieu thereof the word "notice"
- On page 8, line 7, delete the word "filing" and insert in lieu thereof the word "notice"



On page 8, line 18, delete the word "filing" and insert in lieu thereof the word "notice"

On page 8, line 21, delete the word "filing" and insert in lieu thereof the word "notice"

On page 8, delete lines 25 through 31

And renumber the lines, sections, and pages accordingly  
SEN. VOSPER, Chairman

SB 2450 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2455 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 9, delete the word "person" and insert in lieu thereof the word "producer"

On page 1, line 17, after the word "commission" insert the words "or production must be measured by some other method approved by the commission after notice and hearing"

On page 1, delete lines 25 through 28 and insert in lieu thereof the following words: "At least quarterly, the producer shall file a report as to each meter with the commission certifying the accuracy of meters used to measure production under this section. The testing and calibration of meters must be performed by a qualified meter specialist as approved by the commission. The commission shall witness on a random basis the testing and calibration as to the accuracy of meters used to measure production under this section. The producer shall replace or repair any meter that has a variance in excess of one percent or of industry standards, whichever is greater. The commission may promulgate rules relating to commingling of production from two or more oil and gas wells in a storage facility which is not specifically dealt with in this section."

On page 2, delete lines 1 through 7

And renumber the lines and pages accordingly  
SEN. MOORE, Chairman

SB 2455 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2475 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so

amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

- On page 1, line 19, delete the word "five" and insert in lieu thereof the word "four"
- On page 1, line 27, delete the word "fifty" and insert in lieu thereof the word "forty-nine", and delete the word "four" and insert in lieu thereof the word "nine"
- On page 1, line 28, after the word "hundred" insert the word "twenty"
- On page 2, line 12, delete the word "five" and insert in lieu thereof the word "four"
- On page 2, line 20, delete the word "fifty" and insert in lieu thereof the word "forty-nine"
- On page 2, line 21, delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"
- On page 2, line 33, delete the word "five" and insert in lieu thereof the word "four"
- On page 3, line 6, delete the word "fifty" and insert in lieu thereof the word "forty-nine", and delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"
- On page 3, line 22, delete the word "five" and insert in lieu thereof the word "four"
- On page 4, line 3, delete the word "fifty" and insert in lieu thereof the word "forty-nine"
- On page 4, line 4, delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"
- On page 4, line 16, delete the word "five" and insert in lieu thereof the word "four"
- On page 4, line 24, delete the word "fifty" and insert in lieu thereof the word "forty-nine", and delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"
- On page 5, line 2, delete the word "five" and insert in lieu thereof the word "four"
- On page 5, line 10, delete the words "seven hundred" and insert in lieu thereof the words "one hundred sixty"

- On page 5, line 19, delete the word "five" and insert in lieu thereof the word "four"
- On page 5, line 27, delete the word "fifty" and insert in lieu thereof the word "forty-nine", and delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"
- On page 6, line 2, delete the word "five" and insert in lieu thereof the word "four"
- On page 6, line 10, delete the word "fifty" and insert in lieu thereof the word "forty-nine", and delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"
- On page 6, line 18, delete the word "five" and insert in lieu thereof the word "four"
- On page 6, line 26, delete the word "fifty" and insert in lieu thereof the word "forty-nine", and delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"
- On page 6, line 34, delete the word "five" and insert in lieu thereof the word "four"
- On page 7, line 7, delete the words "seven hundred" and insert in lieu thereof the words "one hundred sixty"
- On page 7, line 15, delete the word "five" and insert in lieu thereof the word "four"
- On page 7, line 22, delete the word "fifty" and insert in lieu thereof the word "forty-nine", and delete the words "four hundred" and insert in lieu thereof the words "nine hundred twenty"

And renumber the lines and pages accordingly

SEN. LODOEN, Chairman

SB 2475 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2486 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, delete the words "Initial license" and insert in lieu thereof the word "License"

On page 1, line 11, delete the word "initial"

And renumber the lines and pages accordingly

SEN. STENEHJEM, Chairman

SB 2486 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Judiciary to which was referred SB 2489 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to adoption of rules by the attorney general to divide and regulate classes of licenses of organizations which conduct games of chance.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 53-06.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

**Division of license classes by rule.** On or before January 1, 1986, the attorney general shall adopt rules which divide each of the license classes provided in this chapter into no more than two categories, and shall adopt appropriate rules for each category. The categories must be established with consideration of the frequency and type of games of chance conducted by eligible organizations and the adjusted gross proceeds collected or expected to be collected by eligible organizations."

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2489 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Natural Resources to which was referred SCR 4010 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "resolution" delete the remainder of the resolution and insert in lieu thereof the following: "designating the construction and completion of the federally authorized and funded Garrison Diversion Unit as having the first and highest priority for water development in North Dakota.

WHEREAS, North Dakota has provided 550,000 acres of valuable river bottom lands for the construction of Missouri River reservoirs under the federal Flood Control Act of 1944, causing an annual loss of \$131,000,000 in economic gross product and an additional annual loss of \$45,000,000 in personal income; and

WHEREAS, North Dakota was assured by Congress in the Flood Control Act of 1944 that the loss of this valuable farmland would be offset by benefits from the Garrison Diversion Unit; and

WHEREAS, the Garrison Diversion Unit promises to enhance the agricultural productivity of the state, assure adequate and needed supplies of Missouri River water for urban and rural water systems, create recreational opportunities, and provide fish and wildlife enhancement; and

WHEREAS, North Dakota is presently receiving only one percent of the benefits promised by the federal government in return for its sacrifice of valuable farmland; and

WHEREAS, the construction of the Garrison Diversion Unit by the federal government has been delayed numerous times with the construction costs rising with each delay; and

WHEREAS, the Garrison Diversion Unit Commission was established by Public Law 98-360 "to review the contemporary water development needs of the State of North Dakota and propose modifications to the Garrison Diversion Unit consistent with the existing authorization"; and

WHEREAS, after three hearings in four months, the commission submitted to the Secretary of the Interior a final report which recommends, among other things, that the Sykeston Canal be built instead of Lonetree Reservoir, that Taayer Reservoir not be constructed, that 130,000 acres of land be irrigated in the Missouri River Basin, including 17,000 on Indian reservations in North Dakota, that water be released into the Sheyenne River through adequate treatment works for municipal and industrial water for cities along the Sheyenne and Red Rivers, and that four hundred million dollars be spent for municipal and industrial pipeline systems in North Dakota; and

WHEREAS, the Garrison Diversion Unit Commission did not accept the policy statement (HCR 3012) adopted by the Legislative Assembly in special session on December 6, 1984; and

WHEREAS, the commission did conclude that North Dakota deserved a federally funded water development project as a result of lands being lost to Pick-Sloan reservoirs; and

WHEREAS, the commission recommendations would render extremely remote the ability of the Garrison Diversion Unit to deliver water to the Souris River and Devils Lake Basins, and additional water for future uses to the Shyenne River and James River Basins; and

WHEREAS, the commission recommendations would preclude any benefits from the Garrison Diversion Unit to the State of South Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the construction and completion of the federally funded Garrison Diversion Unit has the first and highest priority for water development in the State of North Dakota; and

BE IT FURTHER RESOLVED, that the Legislative Assembly concurs with the final recommendation of the Garrison Diversion Unit Commission "that the Secretary of the Interior proceed immediately to construct those portions of the Commission Plan that are a part of the 1965 authorized Initial Phase", and urges Congress to appropriate necessary funds for continued construction of such portions of the project for fiscal year 1986; and

BE IT FURTHER RESOLVED, that the Legislative Assembly urges the Secretary of the Interior to determine the economic feasibility and engineering soundness of the Sykeston Canal, and the capability of the Sykeston Canal to deliver water to the Souris River Basin, the Devils Lake Basin, and the State of South Dakota, and that such findings be presented to the Governor and North Dakota Congressional Delegation before any construction of the Sykeston Canal is initiated; and

BE IT FURTHER RESOLVED, that the Legislative Assembly also urges the Secretary of the Interior to enter into an agreement with North Dakota for wildlife management of lands acquired for the Lonetree Reservoir, in a manner that does not preclude future use of such lands as a reservoir; and

BE IT FURTHER RESOLVED, that the Legislative Assembly also urges the Secretary of the Interior and the State Department to resume immediately diplomatic consultations with Canada on all issues concerning the

portions of the Garrison Diversion Unit within the Hudson Bay Basin; and

BE IT FURTHER RESOLVED, that the Legislative Assembly urges the Secretary of the Interior to redesignate the principal supply works and the James River Basin features of the Garrison Diversion Unit and the Dakota Unit, Pick-Sloan Missouri Basin Program; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to each member of the North Dakota Congressional Delegation and to the United States Secretary of the Interior."

And renumber the lines and pages accordingly

SEN. MOORE, Chairman

SCR 4010 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1058 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1058 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1059 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1059 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1068 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1068 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1073 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1073 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1107 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1107 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1117 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. REITEN, Chairman

HB 1117 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1124 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. REITEN, Chairman

HB 1124 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1125 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. REITEN, Chairman

HB 1125 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1129 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1129 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1131 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1131 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.



MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1132 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1132 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1164 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1164 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1178 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1178 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1181 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. REITEN, Chairman

HB 1181 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1247 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 11, remove the overstrike over the word "~~which~~"

On page 2, remove the overstrike over lines 12 and 13

On page 2, line 14, after the word "~~four~~" insert the word "five" and remove the overstrike over the words "~~thousand~~" and "~~dollars, in counties~~"

On page 2, remove the overstrike over line 15

On page 2, line 16, remove the overstrike over the words "~~fifteen thousand, five thousand~~", and after the word "~~three~~" insert the word "nine", and remove the overstrike over the word "~~hundred~~"

On page 2, remove the overstrike over line 17

On page 2, line 18, remove the overstrike over the words "~~fifteen thousand~~", and after the word "~~six~~" insert the word "seven", and remove the overstrike over the word "~~thousand~~"

On page 2, remove the overstrike over lines 19 and 20

On page 2, line 21, remove the overstrike over the words "~~the most recent federal census~~"

And renumber the lines accordingly

SEN. HOLMBERG, Chairman

HB 1247 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1256 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

HB 1256 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1266 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

HB 1266 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1361 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

HB 1361 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE BILLS

HB 1072: A BILL for an Act to amend and reenact sections 6-08-16 and 6-08-16.2 of the North Dakota Century Code, relating to issuing checks with insufficient funds or without an account; and to declare an emergency.

Was read the first time and referred to the Committee on Industry, Business and Labor.

HB 1088: A BILL for an Act to amend and reenact section 57-51.1-07 of the North Dakota Century Code, relating to the allocations of moneys in the oil extraction tax development fund.

Was read the first time and referred to the Committee on Finance and Taxation.

HB 1270: A BILL for an Act to create and enact a new section to chapter 40-38 of the North Dakota Century Code, relating to records maintained by public libraries.

Was read the first time and referred to the **Committee on Political Subdivisions**.

HB 1326: A BILL for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to the payment of student tuition by school districts.

Was read the first time and referred to the **Committee on Education**.

HB 1378: A BILL for an Act to create and enact seven new sections to chapter 51-07 and a new subsection to section 57-40.3-04 of the North Dakota Century Code, relating to the duty of a manufacturer to repair a new motor vehicle under warranty or to refund the purchase price or replace the vehicle under certain circumstances; and to provide a penalty.

Was read the first time and referred to the **Committee on Industry, Business and Labor**.

HB 1413: A BILL for an Act to amend and reenact sections 4-02-03, 4-02-04, and subsection 2 of section 57-15-06.8 of the North Dakota Century Code, relating to county fair mill levies.

Was read the first time and referred to the **Committee on Political Subdivisions**.

HB 1468: A BILL for an Act to amend and reenact subdivision c of subsection 3 of section 53-06.1-03 of the North Dakota Century Code, relating to rent payment limitations for the privilege of conducting games of chance.

Was read the first time and referred to the **Committee on Judiciary**.

HB 1507: A BILL for an Act to amend and reenact sections 26.1-05-05 and 26.1-05-31 of the North Dakota Century Code, relating to the qualifications of directors of insurance companies and deleting the requirement of stock ownership and to salaries, expenses, and pensions of officers and agents of domestic insurance companies.

Was read the first time and referred to the **Committee on Industry, Business and Labor**.

HB 1513: A BILL for an Act to create and enact a new section to chapter 15-40.2 of the North Dakota Century Code, relating to tuition payments for students attending schools in South Dakota; to amend and reenact sections 15-40.2-09 and 15-40.2-10 of the North Dakota Century Code, relating to payments for students attending South Dakota schools and reciprocal master agreements for students attending schools in other states; and to provide an expiration date.

Was read the first time and referred to the **Committee on Education**.

## FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3048: A concurrent resolution urging Congress and the Federal Farm Credit System to distribute mineral interest income through reduced interest rates for the Federal Land Bank members in the state where the minerals are located. Was read the first time and referred to the **Committee on Finance and Taxation**.

HCR 3049: A concurrent resolution requesting the development and promotion of a North Dakota Product Label by the Department of Agriculture, and requesting use of the slogan "Buy North Dakota Products" on all literature and items printed with state funds. Was read the first time and referred to the **Committee on State and Federal Government**.

MESSAGE TO THE HOUSE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1219

LEO LEIDHOLM, Secretary

## MOTION

SEN. NETHING MOVED that at the conclusion of the Fifth order of business, the Thirteenth order of business and after the reading of SB 2004, SB 2008, SB 2034, SB 2159, SB 2180, SB 2214, SB 2217, SB 2240, SB 2262, SB 2278, SB 2362, SB 2375, SB 2386, SB 2388, SB 2389, SB 2411, SB 2430, SB 2448, SB 2464, SB 2480, SB 2488, SB 2494, SB 2498, SCR 4040, HB 1044, HB 1058, HB 1059, HB 1068, HB 1073, HB 1093, HB 1101, HB 1107, HB 1117, HB 1124, HB 1125, HB 1129, HB 1131, HB 1132, HB 1137, HB 1160, HB 1164, HB 1174, HB 1178, HB 1181, HB 1186, HB 1187, HB 1227, HB 1235, HB 1256, HB 1260, HB 1264, HB 1266, HB 1304, HB 1315, HB 1361, and HB 1470, the Senate adjourn and convene at 12:30 p.m., Tuesday, February 19, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary